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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,403	08/28/2003	Hugo Cheung	TI-32740.1	6534

23494 7590 03/15/2007

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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 03/15/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

Notification of Non-Compliant Appeal Brief (37 CFR 41.37)	Application No. 10/650,403	Applicant(s) CHEUNG, HUGO	
	Examiner Tanh Q. Nguyen	Art Unit 2182	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 29 December 2006 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

See Continuation Sheet.

Art Unit: 2182


Continuation of 10. Other (including any explanation in support of the above items):

With respect to the "SUMMARY OF THE CLAIMED SUBJECT MATTER", appellant essentially includes most of the detailed description of exemplary embodiments of the invention. Such inclusion does not meet the requirement of section 4(a) above.

To meet the requirement for section 4(a), appellant needs to provide a mapping of the claimed subject matter to the disclosure - by page and line number disclosure, and to drawings by reference character to concisely explain the subject matter defined in the claims. Note that "to concisely explain the subject matter defined in the claims" means "to explain briefly the subject matter defined in the claims". To explain a ten-line claim with nine pages of disclosure (page 3-page 11) cannot be considered as "to concisely explain the subject matter defined in the claim".

Per 37 CFR 41.37(d), if appellant does not file an amended brief within the set time period, or files an amended brief that does not overcome the reasons for non-compliance stated in the notification, the appeal will stand dismissed.

TANH Q NGUYEN
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100



February 22, 2007

TQN

February 22, 2007